

TRANIS CUELLAR

195 TOZER ST

MADERA CA 93638

FEB 06 2025

CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY [Signature]  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

TRANIS CUELLAR

CASE No.

PLAINTIFF

COMPLAINT FOR DAMAGES

v.

42 § 1983 U.S.C.

OFFICER BEHE, ET AL

JURY TRIAL DEMAND

DEFENDANTS

1:25CV00149-GSA(GP)

PLAINTIFF COMES NOW TO THIS HONORABLE COURT PROCEEDING IN PROPRIA PERSONA AS A PRE-TRIAL  
DETAINEE IN ALLEGATIONS AGAINST DEFENDANTS FOR THEIR INDIVIDUAL ROLES IN DENYING PLAINTIFF  
HIS 14<sup>TH</sup> AMENDMENT RIGHT TO RECEIVE ADEQUATE MEDICAL CARE AMOUNTING TO DELIBERATE  
INDIFFERENCE, CAUSING UNWARRANTED PAIN AND SUFFERING AND OTHER INJURY TO PLAINTIFF.

VENUE IS PROPER BECAUSE THE ALLEGATIONS OCCURRED IN MADERA CALIFORNIA

RECEIVED

PARTIES TO THIS ACTION

FEB 06 2025

PLAINTIFF -

TRANIS CUELLAR, PRETRIAL DETAINEE AT MADERA JAIL

CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DEFENDANTS -

BY [Signature]  
DEPUTY CLERK

OFFICER BEHE, SGT KHELA, LT. SEABORN, DUES 1-16 EMPLOYED AS OFFICERS OF MADERA JAIL.

CAUSES OF ACTION

• NO 1: DENIAL OF MEDICAL CARE / DELIBERATE INDIFFERENCE

IN ORDER TO STATE A COGNIZABLE CLAIM, PLAINTIFF MUST ALLEGED FACTUAL ALLEGATIONS  
IDENTIFYING ~~INFORMATION~~ INDIVIDUAL ACTS OR OMISSIONS BY EACH PERSON RELATED TO

INDIGENT

HIS MEDICAL TREATMENT OR CONDITIONS OF CONFINEMENT WHICH RESULTED IN A CONSTITUTIONAL VIOLATION SEE LEER V MURPHY 844 F.2d 628, 633 (9th Cir 1988)

HERE, EACH DEFENDANT MADE AN INTENTIONAL DECISION WITH RESPECT TO THE CONDITIONS UNDER WHICH PLAINTIFF IS CONFINED BY KNOWING THAT PLAINTIFF HAD A SEVERE TOOTH INFECTION WHICH PLAINTIFF SEEKED TREATMENT ON NUMEROUS OCCASIONS WHERE THE AMOUNT OF PAIN WAS OBVIOUS AND DANGEROUS TO PLAINTIFFS HEALTH. PLAINTIFF SEEKED TREATMENT VIA MEDICAL SICK CALL PROCEDURE AT LEAST 8 TIMES AND ON 2 OF THOSE OCCASIONS DUES 1-5 REJECTED PLAINTIFFS MEDICAL SLIP THROWING IT ON THE GROUND AND 2 ADDITIONAL TIMES WHICH THE SLIP WAS GIVEN TO SEPARATE INDIVIDUALS TO RETURN TO PLAINTIFF, ALL OF WHICH EXACT SURVEILLANCE DATES AND TIMES ARE LOGGED WHICH WILL BE REQUESTED FOR PRODUCTION IN DISCOVERY. ASIDE FROM DUES 1-5'S REJECTIONS OF MED SLIPS, PLAINTIFF REQUESTED MEDICAL TREATMENT MULTIPLE TIMES TO DEFENDANTS BEHE, SEABORN, AND KHELA, VIA VERBAL AND WRITTEN REQUEST, WHERE EACH DEFENDANT WITNESSED PLAINTIFF AT TIMES LYING ON THE FLOOR BEGGING FOR ATTENTION BY CAUSE OF THE UNBEARABLE PAIN, AND DEFENDANTS INTENTIONALLY REFUSED TO PROVIDE CARE IN RETALIATION FOR PLAINTIFF FILING FACILITY GRIEVANCES.

PLAINTIFF FILED AN EMERGENCY GRIEVANCE ATTACHED HERE TO AS EXHIBIT A AND DUE #6 OF 10, KHELA, AND SEABORN REJECTED PLAINTIFFS GRIEVANCE, CLAIMING THAT PLAINTIFF REFUSED DENTAL WHEN CALLED. PLAINTIFF REMAINED REQUESTING DENTAL FROM THE MONTHS OF LATE SEPTEMBER 2024 TO CURRENT DAY. ON 01-31-25, PLAINTIFF WAS TAKEN TO DENTAL WHERE A SEVERE INFECTION WAS DETERMINED BY X-RAY. PLAINTIFF WAS PRESCRIBED ANTIBIOTIC WHICH WAS NEVER ORDERED OR DELIVERED PER DUE 1. UPON DEPARTING DENTAL, DUE 7 (DENTIST) AND 8 (RDA) GAVE OFFICER LEE A TOTAL OF 8 BLANK DENTAL SIGN IN SHEETS FOR OTHER APPOINTMENTS SCHEDULED FOR 01-31-25, REQUESTING LEE TO FORGE A VERIFIED REFUSAL OF EACH PATIENT, WHICH LEE DID. SURVEILLANCE OF 01-31-25 AT 1430 - 1450 HOURS WILL SHOW THESE ALLEGATIONS AS TRUE. THIS SHOWS A PATTERN IN PRACTICE AS TO WHY PLAINTIFFS PRIOR REQUESTS FAILED SHOW PLAINTIFF REFUSED.

INDIGENT

THESE CONDITIONS PUT PLAINTIFF AT SUBSTANTIAL RISK OF A BLOOD INFECTION AND OTHER RISKS, CONSTITUTING SERIOUS HARM. ALL DEFENDANTS DID NOT TAKE REASONABLE MEASURES TO ABATE THAT RISK AND IN FACT ATTEMPTED TO CONCEAL THE VIOLATIONS ON THE GRIEVANCE, EVEN THOUGH A REASONABLE OFFICER IN THE CIRCUMSTANCES WOULD HAVE APPRECIATED THE HIGH DEGREE OF RISK INVOLVED, MAKING EACH DEFENDANTS CONDUCT OBLIGES, AND BY EACH DEFENDANT NOT TAKING SUCH MEASURES, EACH DEFENDANT CAUSED PLAINTIFF INJURY. (SEE GORDON V CITY OF ORANGE, 888 F.3D 1118, 1125 (9TH CIR 2018)).

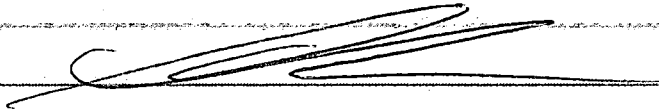
FOR THESE REASONS, ALL DEFENDANTS HAVE VIOLATED PLAINTIFFS 14<sup>TH</sup> AMEND RIGHT TO ADEQUATE MEDICAL CARE AND TO BE FREE FROM CRUEL AND UNUSUAL PUNISHMENT. PLAINTIFF NOTES THAT A LETTER OF INTENT TO SUE WAS SENT OVER 60 DAYS AGO.

### RELIEF

PLAINTIFF REQUESTS RELIEF IN THE AMOUNT OF \$350,000. PER PLAINTIFF DEFENDANT AND CONSENT DECREES TO BE STIPULATED, AND PUBLIC APOLOGY.

### VERIFICATION

PLAINTIFF HEREBY VERIFIES THE FOREGOING AS TRUE AND CORRECT.



01-31-25

INDIGENT